

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

The Court having considered Plaintiff's motion for the award of attorney fees and expenses, the Declaration of Plaintiff's attorney, Larry Juday, Plaintiff's itemized statement of fees and expenses, the arguments of Counsel for the parties, and the files and records in this case, hereby finds that:

1. On September 2, 2005 this Court entered an Order and Judgment remanding Plaintiff's case to Defendant for further proceedings.

2. Defendant's Position denying Plaintiff's award of disability benefits was not substantially justified.

3. Plaintiff is the prevailing party in this civil action case.

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4. Plaintiff meets the financial qualifications for an award of attorney fees and expenses as provided by the Equal Access to Justice Act (EAJA) 28 U.S.C. §2412 *et. seq.*, as amended.

IT IS HEREBY ORDERED and ADJUDGED that:

1. Plaintiff's Motion is granted and Plaintiff is awarded attorney fees of \$6,233.90, expenses of \$13.95, and costs of \$5.64 for a total of \$6,253.49 payable under the provisions of the Equal Access to Justice Act (EAJA) 28 U.S.C. §2412 *et. seq.*, as amended.

2. The amount of \$6,253.49 shall be made payable to Larry E. Juday, Attorney at Law, P.O. Box 388, Vancouver, Washington 98666.

Dated this 12th day of October 2005.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

Presented by:

22 Larry Juday, WSB #17610
23 Attorney for Plaintiff
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26 360-281-6189